

IN RE: PETITION FOR SPECIAL HEARING \* BEFORE THE  
E/S of a private Road off of \* DEPUTY ZONING COMMISSIONER  
Chippendale Road, 367' N of the \* OF BALTIMORE COUNTY  
c/l of Chippendale Road cul-de-sac  
(1406 Chippendale Road)  
8th Election District  
3rd Councilmanic District \* Case No. 94-105-SPH  
Henry T. Dawes, et ux  
Petitioners

#### AMENDED ORDER

WHEREAS, this matter came before the Deputy Zoning Commissioner as a Petition for Special Hearing filed on behalf of the owners of the subject property seeking approval of the first amendment to the Partial Development Plan, Plat Two, Section Two of Ridgemont West, to reconfigure proposed Lot 12D, in accordance with Petitioner's Exhibit 1.

WHEREAS, the relief was granted, subject to restrictions, by Order issued December 14, 1993; and,

WHEREAS, subsequent to the issuance of said Order, the Petitioner advised this Office by letter dated December 17, 1993, that an error had been made in the Order in describing the four (4) lots which are part of the remaining property yet to be developed on this site, including Lot 12D. Specifically, the Order identified the four (4) lots in question as Lots 14D, 12D, 4C and 3C; however, Lot 14D is a separate parcel which is not a part of this request. The fourth lot should have been identified as Lot 14A and as such, the Order shall be amended accordingly.

In addition to the above, the Petitioner requested a modification of Restriction 2 of the Order issued December 14, 1993. Specifically, the Petitioner seeks an extension of the 90-day time period in which to complete the 40-foot right-of-way dedication to Baltimore County, citing complications in the title search. In consideration of this request, I

shall grant an indefinite extension to the Petitioner to accomplish the dedication of the 40-foot right-of-way to Baltimore County, and as a condition thereof, shall require that the Petitioner file an action to Quiet Title within three (3) months of the date of this Order. Furthermore, no building permits shall be issued for any lot previously identified until such time as the Petition to Quiet Title has been filed by the Petitioner.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 21<sup>st</sup> day of December, 1993 that the Order issued December 14, 1993 shall be amended to correctly identify the four (4) lots remaining to be developed, including Lot 12D, as follows: Lots 14A, 12D, 4C and 3C, in accordance with Petitioner's Exhibit 1; and,

IT IS FURTHER ORDERED that Restriction 2 of said Order shall be modified to postpone indefinitely the dedication of the 40-foot right-of-way to Baltimore County; however, the Petitioner must file a Petition to Quiet Title within three (3) months of the date of this Amended Order. Furthermore, no building permits shall be issued until such time as said Petition has been filed. Once the Petition to Quiet Title is resolved, the Petitioner shall immediately dedicate the 40-foot right-of-way to Baltimore County.

IT IS FURTHER ORDERED that all other terms and conditions set forth in the Order issued December 14, 1993 shall remain in full force and effect.

TWK:bjs

cc: Mr. Thomas D. Dawes  
11811 Ridgemont Road, Lutherville, Md. 21093

Stuart D. Kaplow, Esquire  
5125 Roland Avenue, Baltimore, Md. 21210

People's Counsel; Case File

*Timothy M. Kotroco*  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

IN RE: PETITION FOR SPECIAL HEARING \* BEFORE THE  
E/S of a private Road off of \* DEPUTY ZONING COMMISSIONER  
Chippendale Road, 367' N of the \* OF BALTIMORE COUNTY  
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8th Election District  
3rd Councilmanic District \* Case No. 94-105-SPH  
Henry T. Dawes, et ux  
Petitioners

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing filed on behalf of the owners of the subject property, Henry T. and Eleanor F. Dawes, by Thomas D. Dawes, Power of Attorney. The Petitioners seek approval of the first amendment to the Partial Development Plan, Plat Two, Section Two of Ridgemont West, to reconfigure proposed Lot 12D, in accordance with Petitioner's Exhibit 1.

Appearing on behalf of the Petition were Thomas D. Dawes. Also appearing on behalf of the Petition were Harvey B. Blanton, Jr., Elisa M. Askin, Toni Steigerwald, and Joan Pettit, adjoining property owners. Appearing as a Protestant in the matter was Stuart D. Kaplow, Esquire, on behalf of an adjoining property owner, Arthur Becker.

Testimony indicated that the subject property, known as 1406 Chippendale Road, consists of a total area of 2.046 acres, zoned R.C. 5 and is located within the subdivision known as Ridgemont West. The Petitioners wish to amend the previously approved partial development plan for Ridgemont West to permit the addition of 0.812 acres from abandoned Lot 13D to Lot 12D. The proposed addition would permit an expansion of the building envelope on Lot 12D, which is part of the remaining property yet to be built upon. That remaining property totals 17.111 acres and contains four (4) building lots known as Lots 14D, 12D, 4C and 3C. This section also in-

cludes Lot 14D which is not a building lot but has been set aside as a separate parcel.

On behalf of the Protestant, Mr. Stuart Kaplow raised issues as to proper road access being afforded to his client as a result of the proposed reconfiguration of Lot 12D. Mr. Becker's property lies north of the subject site and would otherwise be landlocked but for the access to be provided by a 40-foot right-of-way to extend Ridgemont Road as indicated on the site plan. Mr. Kaplow stated that his client is not opposed to the proposed amendment, provided suitable, legal access to Mr. Becker's property is provided. An issue arose as to whether Mr. Dawes has clear title to this 40-foot right-of-way. In any event, the issue raised by Mr. Becker through his attorney will be addressed pursuant to the restrictions set forth hereinafter.

After due consideration of the testimony and evidence presented, it appears that the relief requested in the special hearing should be granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 14<sup>th</sup> day of December, 1993 that the Petition for Special Hearing to approve the first amendment to the Partial Development Plan, Plat Two, Section Two of Ridgemont West, to reconfigure proposed Lot

12D in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) The 40-foot wide right-of-way for the extension of Ridgemont Road from its current terminus to the boundary of the Becker Property, as shown on Petitioner's Exhibit 1, shall be dedicated to Baltimore County. This road shall be dedicated to Baltimore County within ninety (90) days of the date of this Order.
- 3) No more than three lots will be permitted access from the existing Chippendale Road cul-de-sac.
- 4) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

TWK:bjs

*Timothy M. Kotroco*  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

Suite 113 Courthouse  
400 Washington Avenue  
Towson, MD 21204

December 14, 1993

(410) 887-4386

Mr. Thomas D. Dawes  
11811 Ridgemont Road  
Lutherville, Maryland 21093

RE: PETITION FOR SPECIAL HEARING  
E/S of a private Road off of Chippendale Road, 367' N of the c/l of  
Chippendale Road cul-de-sac (1406 Chippendale Road)  
8th Election District - 3rd Councilmanic District  
Henry T. Dawes, et ux - Petitioners  
Case No. 94-105-SPH

Dear Mr. Dawes:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

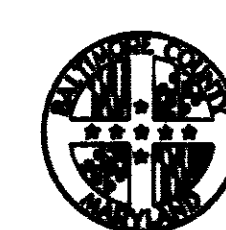
*Timothy M. Kotroco*  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TWK:bjs

cc: Stuart D. Kaplow, Esquire  
5125 Roland Avenue, Baltimore, Md. 21210

People's Counsel

File



## Petition for Special Hearing to the Zoning Commissioner of Baltimore County for the property located at 1406 Chippendale Road, L.T. 21093 which is presently zoned RC-5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 800.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve:

The first Amendment, 7/23/93; PARTIAL DEVELOPMENT PLAN:

Plat Two, Section Two, Lot 12D; RIDGEMONT WEST

(The original PDP having been approved 12/11/90, following which Lot 12D was recorded 2/28/91 in PB SM No. 63 f. 16 as a 1.234 acre lot.)

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Current Petitioner(s)

Type of Petition

Address

City

State

Attorney for Petitioner

Type of Petition

Address

City

State

Attorney for Petitioner

Address

City

State

Legal Owner(s)

Henry T. Dawes & Eleanor F. Dawes, w

Power of Attorney

Stuart D. Kaplow, Esquire

5125 Roland Avenue, Baltimore, Md. 21210

By: Thomas D. Dawes, Attorney in Fact

for Henry T. Dawes & Eleanor F. Dawes

(See Liber 8702 pg 647 for P/A)

11811 Ridgemont Road (410) 253-8657

Lutherville, MD 21093

Thomas D. Dawes

11811 Ridgemont Road 21093 (410) 253-8657

Attorney for Petitioner

Address

City

State

## EXAMPLE 3 - Zoning Description - 3 copies

Three copies are required. Copies of deeds cannot be used in place of this description. Use this fill-in format whenever possible; otherwise, type or print on 8-1/2" x 11" sheet.

ZONING DESCRIPTION FOR 1406 Chippendale Road, Lutherville, MD 21093

(address)  
Election District 8th Councilmanic District 3rd

The proposed amendment  
Beginning at a point on the east side of a private road  
(north, south, east or west)

Chippendale Road & Private Road which is 30' wide & 20' wide  
(street on which property fronts) (number of feet of right-of-way width)

wide at a distance of 367 feet north of the  
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street Chippendale Road cul de sac  
(name of street)

which is 50' diam. cul de sac at end of 50' R.O.W. (Being Lot 12  
(number of feet of right-of-way width) (The G. of the cul de sac is 970'  
west and north of the G. of Ridgemont Road.)

Block 2, Section 2 in the subdivision of  
Ridgemont West as recorded in Baltimore County Plat  
(name of subdivision)

Book 63, Folio 16, containing 1.234 acres  
or 58,366.54 s.f.  
(square feet and acres)

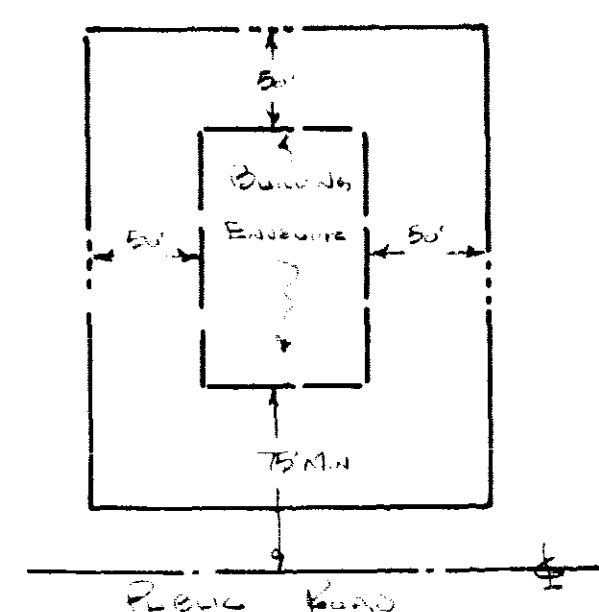
\*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown. Instead state: "As recorded in Deed Liber Folio " and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Example of metes and bounds: N.87° 12' 13" E. 321.1 ft., S.18° 27' 03" E. 87.2 ft., S.62° 19' 00" W. 318 ft., and N.08° 15' 22" W. 80 ft. to the place of beginning.

ORDER RECEIVED FOR FILING  
Date 12/14/93  
By [Signature]



4. No more than three lots (120, 141, 122) will be necessary from the existing CHANDLER ROAD CUL-DE-SAC.



SOILS INFORMATION				
Soil Type	Climate	Soil's Parent Substrums With Parent	STRATUM	Soil's Fields
Eluvial	Eluvial	Soil	Soil	Soil
Eluvial	Eluvial	Moisture; Slope	Soil; Slope	Moisture; Slope
Gravel	Gravel	Soil; High Water Table	Soil; High Water Table	Soil; High Water Table
Moist	Moist	Moisture; Slope	Soil; Slope	Moisture; Slope

### FUNCTIONAL STRUCTURE PAGE

1. Enclosed within the body of the letter is the location of the Kingpin Group and other addresses. (These are forces and movements into which they may be categorized outside the country but which cannot with certainty be assigned to the countries of origin, which is why they are listed in this category.)

## Zurich Commission: note

[illegible]

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A. Landmark must be approved by the Office of Revenue prior to the 15th of the following month.

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It cannot be used by Ridgeman West. Well 1d is 200' deep, 17.27' gpm @ 134.5' water level / 68'. Well 15a) 300' deep, 0.78 gpm @ 20' - 3.450 acre, 18.01' Ridgeman Road, existing, improved 100' to 0.7' acre, 40' - 1.877 acre, for future extension of Ridgeman Road. Taxes to be paid to County, Mr. Becker paying for the deed and title, Mr. Becker and County.

Seven Chippendale road families have signed a letter authorizing the recording of a plat that will limit to three the number of lots to be conveyed by the Chippendale road cul de sac. That letter will be presented to the Zoning Commissioner on Monday and it is anticipated that the approval of the plat will be given. It is noted that you have been provided herewith. I will argue that this is evidence that you support the approval of the plat as presented herewith.

The plat enclosed is color-coded to show the four home-places remaining to be improved (yellow, 3 at the cul de sac, 1 on Ridgeman Road), 10 acres of permanent, privately-owned open space created by the 270' setback between the extension of Ridgeman Road and the 40' - 1.877 acre, for the extension of Ridgeman Road. It is noted that the owner of that property, an engineered plan has been presented to the plat which shows the feasibility of controlling the 18'-wide paving with grasses to the Becker Property.

The first indication that the Becker land is to be developed will be a request for "Community" or "County" input from the residents of Ridgeman West. Some parts calls for the developer to obtain community input before presenting a plan to the County for review.)

Based on a study that I made of County aerial topography back in 1991, there is a maximum of 14 useable acres in Becker track into KOS lots, the same zoning as Ridgeman West. Available for development.

Sincerely,

Henry T. Davies  
David Ransome, Surv Eyor  
Howard L. Alderman, Jr. Esquire  
Stuart D. Kaplow, Esquire

October 22, 1993

1811 Ridgemoor Road  
Lynchville, MD 21093

(V) 257-6537

Dear Neighbor:

I am enclosing a print of the FINAL DEVELOPMENT PLAN FOR 17 families living on Chippendale Road and Ridgemoor Road.

Neighbors and Residents of Ridgemoor and Ridgemoor West,

17 families living on Chippendale Road and Ridgemoor Road,

DIGEDOWN WREST, prepared by David E. Hanson, Surveyor, and dated 10/21/93.

This is the plan that the Zoning Commission will be asked to approve after a public hearing on 10/25/93, 9:00 AM (Washington Ave., Old Court House, Room 119).

For information concerning the file and/or hearing call: (Washington Ave., Chesapeake Beach, VA.)

887-3353

As part of the Agreement struck in the Office of Planning and Zoning on 9/16/93, and concurred in by the Development Committee of Washington County on 10/18/93 in the Land Records remaining lot and parcels as so recorded in the Land Records of Washington County so as to be recorded in the Land Records or until completion without further interruption by appeals or by administrative coercion by County officials.

A record plat will not be approved until the Development Plan has been approved and kept on file in the office of Zoning Administration and Development Management (ZADM). Building permits are reviewed by ZADM for compliance with the development plan, not the recorded plat.

Therefore, I am presenting the enclosed plat to zoning Commissioner Lawrence E. Schmidt on Monday.

Lot 12P is expanded to 2,046 acres and a building setback from the back power line of .230' is established. These two items are the same as those shown on the plan advertised for the hearing.

The DDP shows the same information that the advertised plan shows, but the information is now "FINAL" rather than "PROPOSED".

For title, See Confirmatory Deed,  
dtd 7/13/87, Recorded in L. 7643 @ 151,  
60-year possession by Dawes.  
Confirmed by living memory of T. Dawes  
and by 1956 survey.

20th July 1954  
S. A. 11500

Sec. 11 218 - 5 Ltr  
(8.9.97-190)

Plant is Section 1 Total = 1 Lot (24)  
(1000000) 12m realised

$$T_H = 2.227 - 4 \log_{10} (2.227 - 1.1135) = 1.1135$$

TOTAL 10 Lots

(CLG App'd 13 LOTS 9/20/88)  
Tribulation of Archaic

Lot 14C	7.501
Lot 14D	7.540

LOT 40 (total) 2.645

Parcel 14D 0.99

40' R.C.C. 0.472  
Total Area of Plot 17.111 ac.

Dens. T.Y. - R. Oremont West

see Part of plan and profile of Richmond Road extension to the Becker Property (first submitted to Mr. Arthur H. Becker, Sr. on 7/23/1901) that has been submitted to Mr. Don Thomas A. B.P.N. of 1913. Based on field-run tape, that plan & profile shows the feasibility of the 40' rural section of the subdivision. The original of the plan is in the possession of Gerald Cross & Etzel, Mr. Becker's attorney on the Kelly St. track.

• FINAL  
Development Plan  
Ridgmont West - Section Two  
Lots 12D, 14A, 30, 4C & Parcel 14D  
Located in  
8th District - Baltimore County - MD  
INFORMS TO THE PLANNING BOARD BY THE DESIGN REVIEW COMMITTEE on 10/16/93  
CEG No. 88035 CEG Meeting 5-22-91  
Scale: 1" = 100' DATE: 2/1/93

**PETITIONER'S  
EXHIBIT 1**

OFFICE OF RECORDS AND LISTS  
APPROVED BY:

12  
Lone G  
210.3  
5



A temporary section of this partial development plan is not intended nor should it be applied as a final development plan from which building applications may be approved or issued. Its purpose is to provide those who manage the water in the West thereof with a reasonable understanding as to how the traveler will move and the points of travel and cost also within 400 feet of their homes.

The dimensioned boundaries of the "Provisory Section" as indicated hereon are not intended to separate it from the overall approval of this partial development plan including the "Provisory Section" must be approved in accordance with Section 1801.3.4.7, Baltimore County Zoning Regulations.

Approval of the "revisory location" is not based on final engineered plans however, it is required to establish the final location, extent, use and density of buildings or their enclosures to within 25 feet of their engineered location; the location and type of existing major vegetation that is to be retained; existing parking areas and drive to the extent possible so as to coincide with their final or permanent improvements, and other pertinent amenities.

At the time of building permit applications the "Provisionary Section" of this development plan must be updated to comply in all respects to the form and content required by Section 1801.3 of the Zoning Regulations.

soils information:				
SOIL TYPE	CLASS	STABLE FAMILY BULLING WITH BOUNDARY	STREET	SEPTIC FIELDS
Ch <sub>2</sub>	CLAY	Slight	Slight	Slight
Ch <sub>2</sub>	CLAY	Moderate Slope	Slovere: Slope	Moderate: Slope
Ch <sub>2</sub>	CLAY	Slovere:	Slovere:	Slovere:
Ch <sub>2</sub>	CLAY	High Water Table	High Water Table	High Water Table
Ch <sub>2</sub>	CLAY	Moderate Slope	Slovere: Slope	Moderate: Slope


- \*1. To establish 230' setback from the power line.
- \*2. To add to Lot 12 D 0.8164 acres from abandoned Lot 13 D 1.08 acre to be used for the ECD building envelope northward.
- \*3. To allow the President to fulfill the developer's intention
  - o (a) in the future, redevelop the west of Ridgeway Rd.
  - o (b) in the future, extend the private road to serve the houses north of the power line, to replace abandoned 13D.
- \*4. To show President saying the plan that the maximum number of lots that may be served by the private road, under pathetically, 11.8 acres, marked 11-6.89 is FIVE, including Lot 12D. (P 0.04 and FIVE: 12 D 0.83 to add of ECD)
- \*5. To show President saying that the number of lots to be served in the future by Ridgeway Rd. when all the other land that Owens land has been developed, depends on the number of wells the Baker Ag. will yield. For example:

\* We, the undersigned are in agreement with <sup>34 up</sup> <sup>LOT</sup> <sup>4C + 5C</sup> <sup>6C + 5C + 6C up</sup> items 1 & 2 above. We withhold approval for the attachments that may be sought by Developer T. Dowse or by Arthur M. Becker Sr., or by the successor or either of them and reserve the right to express views contrary to those of T. Dowse. A. M. Becker, Chairman

This involvement also complies with the CDS plan and all CDS Comments.

LOTS WITHIN 100' of the Changes this  
is presented to achieve

1. Subdivided by the Commission District 3  
 2. Tract 100  
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 99. 100 Acres  
 100. 100 Acres

27. Area shown as  AT THE END OF  
CLIPPENBAND ROAD & IN LOT 10A IS WATER  
QUANTITY POND (SEMI-). . .

28. ADT =  $12 \div 1 = 12.1$  TMS
29. ~~Standard~~ ~~for~~ ~~Reported~~ ~~For~~  
TMS 910.
30. There shall be no clearing, grading, con
31. Any forest Buffer Easement w

This plan provides 11 acres of permanent privately-owned open space. 2 1/2 Acres of Forest Buffer Easement extend beyond the 460' wide open space created by the 230' building setback from the River Line. Therefore, upon approval of this 1<sup>st</sup> Amended PDP by Balto. Co., there is

a total of 11 acres of Open Space, all but 2 acres of which are wooded.

7 New Meles d. Bound  
adding 0.812 & 2 from  
abandoned 13D to 12D

First Amendment 7/15/03 JAC

RETAIL DEVELOPMENT PLAN

PLAT TWO SECTION TWO

LOT 120, Expanded to 2.046 Ac (from 1.234 Ac)

RIDGEMONT WEST

Locales in  
B'n' Electrical District - Burlington Co., N.J.  
C26. N. 88035 (K6) Antenna Date: 8-20-88  
Lot 120 Antenna 1 to 2046 A. by DEC 11/6/88  
- 11 - Electric Cable Route, Approved by DEC 10-10-83  
Wall 140, 100' Deep, tested 6-4-88 @ 8:27 am @ 135.5' depth.  
#409  
July 21, 1993 Submitted to DEC for final review  
JUL 21 1993  
JUL 1 1993  
Team Dawes, Civil Eng.  
11811 Ridgemoor Rd  
Lutherville, MD 21093  
(610) 252-8657

[illegible]







- NOTES -

- 1) HIGHLANDS AND HIGHLAND/WOODMONT, SLURP EASEMENTS, DRAWINGS OF UTILITY EASEMENTS, ACCESS EASEMENTS, FOREST BUFFER AREAS, AND/OR EASEMENTS, AND SEWERTREATMENT MACHINERY AREAS, NO MATTER HOW ENTITLED, SHOWN HEREON, ARE RESERVED INTO THE OWNER AND, ESPECIALLY FOR THOSE INDICATED AS PRIVATE ARE HEREON, OFFERED FOR DEDICATION TO BALTIMORE COUNTY, THEREAFTER THE OWNER, HIS PERSONAL REPRESENTATIVES AND ASSIGNS WILL CONVEY SAID AREAS OF DEED TO BALTIMORE COUNTY, THEREAFTER, AT NO COST.
- 2) STREETS AND/OR ROADS SHOWN HEREON AND THE RIGHT-OF-WAY THEREOF IN DEEDS ARE NOT PURCHASES OF DESCRIPTION ONLY, AND THE SAME ARE NOT INTENDED TO BE DEDICATED TO PUBLIC USE; THE FEE SIMPLE TITLE TO THE ROADS THEREOF IS EXPRESSLY RESERVED IN THE GRANTEES OF THE DEED TO WHICH THIS PLAT IS ATTACHED, THEIR HEIRS AND ASSIGNS.
- 3) THIS PLAT MAY EXPIRE IN ACCORDANCE WITH THE PROVISIONS OF THE BALTIMORE COUNTY CODE, SECTION 26-216.
- 4) THE RECORDING OF THIS PLAT DOES NOT GUARANTEE THE INSTALLATION OF STREETS OR UTILITIES BY BALTIMORE COUNTY.
- 5) THE INFORMATION SHOWN HEREON MAY BE SUPERSEDED BY A SUBSEQUENT OR AMENDED PLAT.
- 6) ADDITIONAL INFORMATION CONCERNING THIS PLAT MAY BE OBTAINED FROM THE BALTIMORE COUNTY OFFICE OF PLANNING & ZONING AND THE DEPARTMENT OF PUBLIC WORKS.
- 7) THE RECORDING OF THIS PLAT DOES NOT CONSTITUTE OR IMPLY ACCEPTANCE BY BALTIMORE COUNTY OF ANY STREET, EASEMENT, PATH, OPEN SPACE OR OTHER PUBLIC AREA SHOWN ON THIS PLAT.
- 8) THE OWNER/DEVELOPER WILL COMPLY WITH THE BEST MANAGEMENT PRACTICES ADOPTED BY THE BALTIMORE COUNTY DEPT. OF ENVIRONMENTAL PROTECTION & RESOURCES MANAGEMENT.
- 9) THE PLAT FOR THE FOREST BUFFER HEREON WAS APPROVED BY THE C.R.G. ON 5-20-88 & BY BOARD RES. S.M. NO. G-12 (ORD. 10-10-89) & S.M. NO. G-16 (2-28-91).
- 10) TRASH COLLECTION, SNOW REMOVAL, AND ROAD MAINTENANCE ARE TO BE PROVIDED TO THE JUNCTION OF THE PENNSYLVANIA AND STREETS RIGHTS-OF-WAY.
- 11) COORDINATES AND BEARINGS SHOWN HEREON ARE BASED UPON THE BALTIMORE COUNTY GRID SYSTEM.  
NAD 83 NOS 13820 (64, 41, 41) 22, 65, 03 W)  
13821 (64, 29, 81) 23, 49, 98 W)
- 12) THERE SHALL BE NO CLEARING, GRUBBING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER EASEMENT EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCES MANAGEMENT.
- 13) EXCEPT AS OTHERWISE INDICATED, ALL BUILDING RESTRICTIONS SHOWN HEREON ARE BASED UPON THE RESULT OF AN INVESTIGATION AND OF CURRENTLY APPLICABLE REGULATIONS AND ORDINANCES OF THE BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING. EXCEPTIONS TO THESE RESTRICTIONS MAY APPLY.
- 14) ANY FOREST BUFFER EASEMENT SHOWN HEREON IS SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS. SEE S.M. NO. 7700 FOUND 603 FOR COVENANTS & RESTRICTIONS FOR CLEARING LIMITATIONS.
- 15) SOIL POLLUTION TESTS WILL BE VALID FOR A PERIOD OF THREE YEARS FROM THE DATE THE REQUIRED PLAT IS SIGNED BY THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCES MANAGEMENT. AT THE EXPIRATION OF THIS PERIOD, NEW TESTS MAY BE REQUIRED.
- 16) ALL REQUIREMENTS OF THE MARYLAND STATE DEPARTMENT OF THE ENVIRONMENT AND BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCES MANAGEMENT PERTAINING TO POTABLE WATER AND/OR SEWAGE SYSTEMS MUST BE COMPARED WITH PLANS TO APPROVAL OF BUILDING APPLICATIONS.
- 17) DEPRM REQUIRES THAT IMPROVEMENT FOR THE JOCKING TRAIL BE LIMITED (WITHIN THE FOREST BUFFER EASEMENTS) TO TRIMMING BRUSH BRANCHES TO NEAR HEIGHT TWICE AS THE FOLLOWING: 1) WILL CONTROL ACCESS TO THE TRAIL, 2) WILL SHARE RESPONSIBILITY FOR ITS MAINTENANCE AND 3) ARE RESPONSIBLE FOR THE VISUAL PRESERVATION OF THE TRAIL: 2), 12), 13A (EXISTING LOT) AND 14A, 15A, 16D, & 17C (FUTURE LOTS FOR WHICH WELLS HAVE BEEN FOUND). USE OF THE TRAIL BY EITHER ADULTS OR MINORS IS 100% AT THE RISK OF THE USER OR AT THE 100% RISK OF THE ADULTS OR GUARDIANS OF MINORS. NO WARRANTY IS OFFERED OR IMPLIED BY THIS RECORDING.

— OWNER'S CERTIFICATE —

THE UNDERSIGNED OWNERS OF THE LAND SHOWN ON THIS PLAN HEREBY CERTIFY THAT TO THE BEST OF THEIR KNOWLEDGE THE REQUIREMENT OF SUBSECTION (C) OF SECTION 3-103 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, HAS BEEN COMPLIED WITH, INsofar AS SAME CONCERNS THE MAKING OF THIS PLAN AND THE SETTING OF MARKERS.

OWNER Lot 13A: THOMAS D. DAWES, ET AL  
Lot 12D: 1811 ROSEMOUNT ROAD  
LUTHERVILLE MD 21093  
TAX ACCT #: 13A 210000 1766  
12D 220000 6777  
DEED REF. S.M. No. 8894 Folio 530  
S.M. No. 7986 Folio 253

APPROVED FOR BALTIMORE COUNTY DEPT. OF PUBLIC WORKS  
AND OFFICE OF PLANNING & ZONING

APPROVED FOR BALTIMORE COUNTY DEPT. OF ENVIRONMENTAL  
PROTECTIONS AND RESOURCE MANAGEMENT

DIRECTOR

DATE \_\_\_\_\_

- Density -

NO CHANGE TO DENSITY. THE LOTS SHOWN  
HEREON HAVE BEEN RELEASED AND APPROVED PRIOR  
HEREIN.

PLATE OF RIGORMENT			
SECTION	P.B. REF.	No. of LOTS	DATA RANDED
1	23-42	5	8-19-66
2	23-126	2	8-18-67
3	27-74	2	4-24-61
4	28-44	4	8-29-62
6	40-72	2	10-07-72 (RE RANDED 11-12-64)

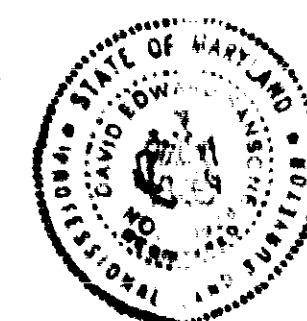
[FIVE DEEDS TO STREET CARB SEE DEED DATED 3/17/62 (RAN L. 1-24-61/62/64)]

— SUPERVISOR'S CERTIFICATE —

THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAWYER, SUBJUGATE THE STATE OF MICHIGAN AND HEREBY CERTIFY THAT HE IS THE SURVIVOR WHO PREPARED THIS PLAN AND THAT THE PLAN HEREIN HAS BEEN Laid out AND THE ACT THEREOF HAS BEEN APPROVED IN COMPLIANCE WITH SUBSECTION (C) OF SECTION 5103 OF THE REVENUE PROPERTY ARTICLE OF THE CONSTITUTION OF MICHIGAN. PARTICULARLY INsofar AS THE SAME CONCERNS THE MATTER OF THIS PLAN OF THE SETTLING OF MARKETS.

David Ransome  
NAME

10-11-14  
DATE



### PLAT SHOWING

REVISED LOT 12D RIDGEMONT WEST AND  
EXTENSION OF RIDGEMONT ROAD (40' R/W)

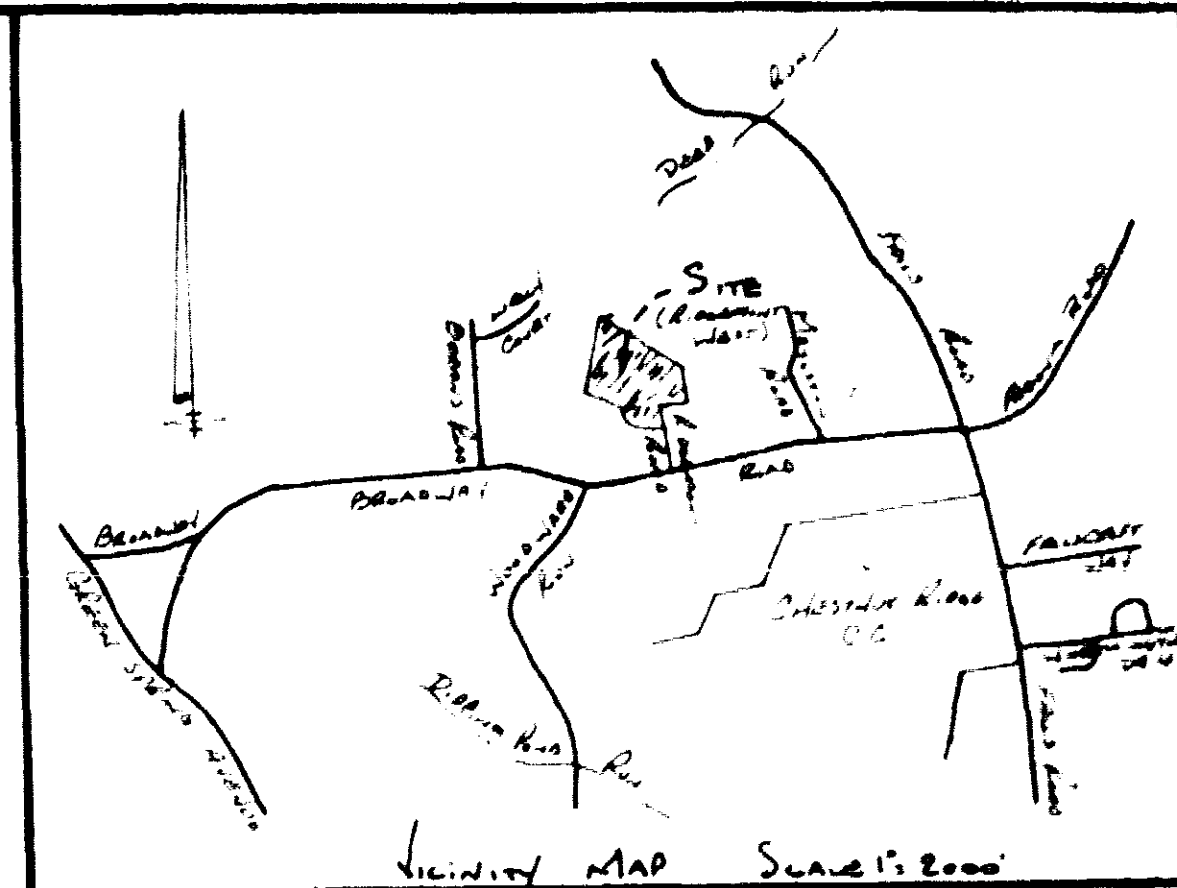
Also Forest Buffer Easements and Access of Lot 120 and Future Lot N/A

8th ELECTION DISTRICT - BALTIMORE COUNTY - 1756 ROAD  
C.R.G. Rd #88035 APPROVED 5-20-88 i amended by D.C.

For Lot 13A See Plat Book S.M. No. 61 Folio 12, Rec. 10-10-89 (2.48 Ac.)  
For Lot 12D See Plat Book S.M. No. 63 Folio 16, Rec. 2-28-91 (1.234 Ac.)

Revised  
SCALE 1"=100'  
DAVID RADSMILE  
LAWYER SURRENDER  
HARD CIRCULAR COVER  
BOWLING MD 21015

OCTOBER 28, 1973  
OCTOBER 20, 1973  
OCTOBER 4, 1973









# NOTES

- 1) HIGHWAYS AND HIGHWAY/ROADS, SUBSIDIARIES, DRAWINGS, UTILITIES, ACCESS, EASEMENTS, FOREST BUFFER AREAS IN THE ADJACENT, AND STREETS/ROADS/ALLEYS, NO MATTER HOW ENTERED, SHOWN HEREON ARE RESERVED TO THE OWNER AND, EXCEPT FOR THOSE INDICATED AS PRIVATE, ARE HEREBY OFFERED FOR DEDICATION TO BALTIMORE COUNTY, MARYLAND, THE OWNER, HIS AUTHORIZED REPRESENTATIVES AND ASSIGNS WILL CONVEY SAID AREAS OF DEED, TO BALTIMORE COUNTY, MARYLAND, AT NO COST.
- 2) STREETS AND/OR ROADS SHOWN HEREON AND THE MORTGAGE THEREOF IN DEEDS ARE FOR PURPOSES OF DESCRIPTION ONLY, AND THE SAME ARE NOT INTENDED TO BE DEDICATED TO PUBLIC USE, THE FEE SIMPLE TITLE TO THE EASERS THEREOF IS EXPRESSLY RESERVED IN THE GRANTORS OF THE DEED TO WHICH THIS PLAT IS ATTACHED, THEIR HEIRS AND ASSIGNS.
- 3) THIS PLAT MAY EXIST IN ACCORDANCE WITH THE PROVISIONS OF THE BALTIMORE COUNTY CODE, SECTION 26-216.
- 4) THE RECORDING OF THIS PLAT DOES NOT GUARANTEE THE INSTALLATION OF STREETS OR UTILITIES BY BALTIMORE COUNTY.
- 5) THE INFORMATION SHOWN HEREON MAY BE SUPERSEDED BY A SUBSEQUENT OR AMENDED PLAT.
- 6) ADDITIONAL INFORMATION CONCERNING THIS PLAT MAY BE OBTAINED FROM THE BALTIMORE COUNTY OFFICE OF PLANNING (ZONING AND THE DEPARTMENT OF PUBLIC WORKS).
- 7) THE RECORDING OF THIS PLAT DOES NOT CONSTITUTE OR IMPLY ACCEPTANCE BY BALTIMORE COUNTY OF ANY STREET, EASEMENT, PAVEMENT, OPEN SPACE OR OTHER PUBLIC AREA SHOWN ON THIS PLAT.
- 8) THE OWNER/DEVELOPER WILL COMPLY WITH THE BEST MANAGEMENT PRACTICES ADOPTED BY THE BALTIMORE COUNTY DEPT. OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT.
- 9) THE PLAN FOR THE PROPERTY SHOWN HEREON WAS APPROVED BY THE C.R.G. ON 5-20-88 & BY BOARD OF S.M. NO. 61-12 L.O.D. 10-16-89 & S.M. NO. 63-16 (2-28-91).
- 10) TRASH COLLECTION, SNOW REMOVAL, AND ROAD MAINTENANCE ARE TO BE PROVIDED TO THE JUNCTION OF THE PANHANDLE AND STREETS RIGHTS-OF-WAY.
- 11) CO-ORDINATES AND BEARINGS SHOWN HEREON ARE BASED UPON THE BALTIMORE COUNTY GEO. SYSTEM.  
MON. NO. 13820 (64.414, 414 22.465.03W)  
13821 (64.291, 814 23.497.98W)
- 12) THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER EASEMENT EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
- 13) EXCEPT AS OTHERWISE INDICATED, ALL BUILDING RESTRICTIONS SHOWN HEREON HAVE BEEN PLACED AS THE RESULT OF AN INTERPRETATION AND OF CURRENTLY APPLICABLE REGULATIONS AND ORDINANCES OF THE BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING, EXCEPT TO THOSE RESTRICTIONS THAT MAY.
- 14) ANY FOREST BUFFER EASEMENT SHOWN HEREON IS SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS. SEE S.M. NO. 7700 FROM 603 RE COVENANTS & RESTRICTIONS FOR CLEARING LIMITATIONS.
- 15) SOIL REGULATION TESTS WILL BE MADE FOR A PERIOD OF THREE YEARS FROM THE DATE THE RELEVANT PLAT IS SIGNED BY THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT. AT THE EXPIRATION OF THIS PERIOD, NEW TESTS MAY BE REQUIRED.
- 16) ALL REQUIREMENTS OF THE MARYLAND STATE DEPARTMENT OF THE ENVIRONMENT AND BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT PERTAINING TO PRIVATE WATER AND/OR SEWAGE SYSTEMS MUST BE COMPLIED WITH PRIOR TO APPEAL OF BUILDING APPLICATIONS.
- 17) RIDGEMONT ROAD EXTENSION NORTH TO THE BEEKE PROPERTY, INCLUDING S.W.M. WATER, WATER DRAIN, SEWER DRAIN AND PAVEMENT CONSTRUCTION, IS TO BE COVERED BY A FUTURE P.W. AGREEMENT TO BE ENTERED INTO BY THE OWNERS OF THE BEEKE PROPERTY.
- 18) P. DAVID FIELDS, PLANNING DIRECTOR OF BALTIMORE COUNTY, ARRANGED ON 9/26/83 WITH THE CHIPPENDALE ROAD RESIDENTS, BEEKE, & DAVIES AN AGREEMENT THE PURPOSE OF WHICH IS TO GIVE THE OWNERS OF THE BEEKE PROPERTY THE RIGHT TO EXTEND RIDGEMONT ROAD NORTH, INDEPENDENT FROM THE PROGRESS OF THE RIDGEMONT WEST (AND RIDGEMONT) SUBDIVISION, AND TO GUARANTEE THE RESIDENTS OF CHIPPENDALE ROAD THAT NO MORE THAN THREE LOTS WILL EVER BE SERVED BY THE EXISTING CHIPPENDALE ROAD CUL-DE-SAC. FIVE RESIDENTS REPRESENTING 4 OF 7 CHIPPENDALE ROAD HOUSEHOLDS ATTENDED A PUBLIC HEARING PRESIDED OVER BY TIMOTHY MORTON ON 10/26/83, AND SUPPORTED THE APPEAL OF THE FINAL DEVELOPMENT PLAN FOR RIDGEMONT WEST (RIDGEMONT) THAT RECEIVED THE APPROVAL OF THIS PLAT FOR RELOCATION IN THE LAND RECORDS OF BALTIMORE COUNTY.

## OWNER'S CERTIFICATE

THE UNDERSIGNED OWNERS OF THE LAND SHOWN ON THIS PLAT HEREBY CERTIFY THAT TO THE BEST OF THEIR KNOWLEDGE THE REQUIREMENT OF SUBSECTION (C) OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, HAS BEEN COMPLIED WITH, INsofar AS SAME CONCERNS THE MAKING OF THIS PLAT AND THE SETTING OF MARKERS.

David R. Fields Planning Director  
Thomas D. Davies, et al  
Lot 12D  
11811 Ridgmont Road  
Lunderville MD 21093

OWNER LOT 12A: THOMAS D. DAVIES, ET AL  
LOT 12D: 11811 RIDGEMONT ROAD  
LUNDERVILLE MD 21093  
TAX ACCT: 12A 21000 1146  
12D 22000 6797  
DEED REF: S.M. NO. 8894 FOLIO 63B  
& S.M. NO. 8986 FOLIO 25B

APPROVED FOR BALTIMORE COUNTY DEPT. OF PUBLIC WORKS  
AND OFFICE OF PLANNING & ZONING

APPROVED FOR BALTIMORE COUNTY DEPT. OF ENVIRONMENTAL  
PROTECTION AND RESOURCE MANAGEMENT

19) CONCURRENT WITH OFFERING THIS PLAT FOR RELOCATION IN THE LAND RECORDS OF BALTIMORE COUNTY, DAVIES IS SEEKING TO QUIET TITLE TO ALL THAT 2.041 ACRES OF LAND SHOWN AS "OUT OF 'PARKS' DEATH NOT" (OR 'PARKS' DEATH NOT'), FIRST DESCRIBED BY PATENT DATED MARCH 5, 1794, RECORDED IN STATE ARCHIVES LIBRARY ACTS NO. 27 FOLIO 452 AND SHOWN ON ADJUT SURVEY NO. 2497. CLAIMED TO BE ADVERSELY POSSESSED BY DAVIES FOR OVER 60 YEARS, THE 2.041 ACRES W/WHICH 0.976 AC. DESCRIBED IN 1982 QUIET CLAIM DEEDS FROM MARINE SHIPLEY, ETC. ACQUIRED BY QUIET TITLE WILL PASS TO BALTIMORE COUNTY WITH CLEAR TITLE TO THE ENTIRE 0.976 AC. 40' R/W EXTENDS TO THE BEEKE PROPERTY.

NO CHANGE TO DEEDS. THE LOTS SHOWN HEREON HAVE BEEN RECORDED AND APPROVED PERMITS HEREON.

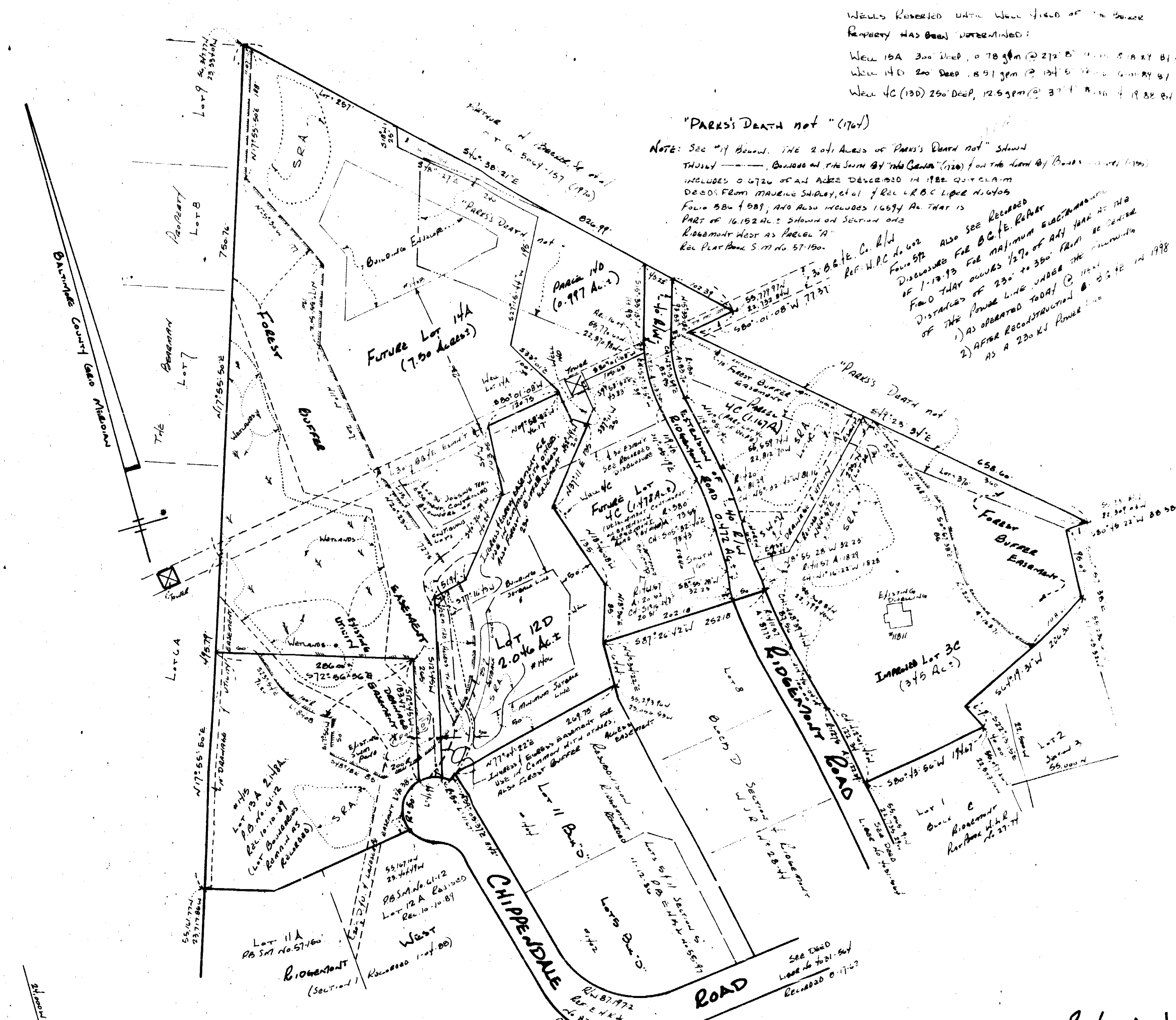
SECTION	P.B. REF.	No. of LOTS	DATE RECORDED
1	23-11	5	8-18-66
2	23-126	2	9-18-67
3	27-74	4	1-24-61
4	28-41	4	3-21-63
5	40-72	2	10-07-72 (RECORDED 11-1-86)

[FOR DEED TO START BEAS SEE DEED DATED 3/7/62 (R. L. ONE 401/604)]

SUBJECT'S CERTIFICATE  
THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF MARYLAND, DOES HEREBY CERTIFY THAT HE IS THE SURVEYOR WHO PREPARED THIS PLAT AND THAT THE LAND SHOWN HEREON HAS BEEN Laid out AND THE PLAT THEREOF HAS BEEN PREPARED IN COMPLIANCE WITH SUBSECTION (C) OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND. APPROVED WHEREAS AS THE SAME CONCERNS THE MAKING OF THIS PLAT & THE SETTING OF MARKERS.  
David R. Fields  
NAME  
DATE 10-11-1993

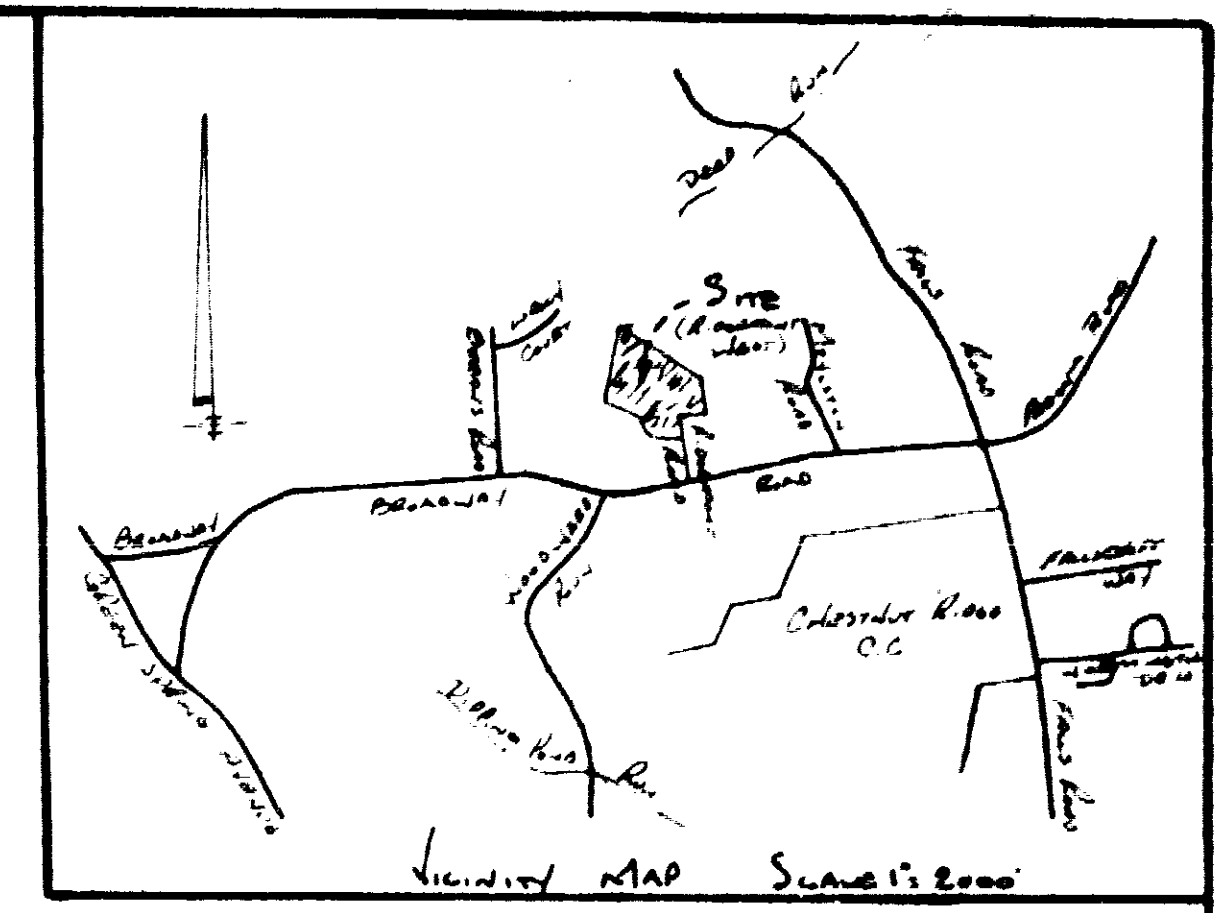
PLAT SHOWING  
REVISED LOT 12D RIDGEMONT WEST AND  
EXTENSION OF RIDGEMONT ROAD (40' R/W)  
AND FOREST BUFFER EASEMENTS AND ACCESS OF LOT 12D AND FUTURE LOT 12A  
BOTH ELECTION DISTRICT - BALTIMORE COUNTY - MARYLAND  
C.R.G. PLAN #88035 AMENDED 5-20-88 & AMENDED BY D.R.C. 10-18-93  
FOR LOT 12A SEE PLAT BOOK S.M. NO. 61 FOLIO 12, REC. 10-10-89 (2.48 AC. ±)  
FOR LOT 12D SEE PLAT BOOK S.M. NO. 63 FOLIO 16, REC. 2-28-91 (1.234 AC. ±)

Deceased 4/11/93  
Deceased 9/1/93  
06-08-93 21, 1993  
October 20, 1993  
October 4, 1993  
DAVID R. FIELDS  
LAND SURVEYOR  
1434 CARRINGTON COURT  
BOWLING, MD 21013



Wells Located within Well Field of the Broom  
Property has been determined:  
Well 10A 300' Deep, 0.70 gpm (27.1' B.T. 10' A.R.T. 8' H.A.R.)  
Well 14C 200' Deep, 0.51 gpm (13.1' B.T. 10' A.R.T. 8' H.A.R.)  
Well 14C (130) 250' Deep, 12.5 gpm (27.1' B.T. 10' A.R.T. 8' H.A.R.)

'PARKS' DEATH NOT (1761)  
NOTE: See "If Bound, the 2.041 Acres of Parks' Death Not" should  
THAT... BEEKE & DAVIES BY THE COURT (1982) FOR THE DEED BY BEEKE & DAVIES, 1982  
INCLUDES 0.976 AC. OF AD. ACRES DESCRIBED IN 1982 QUIET CLAIM  
DEEDS FROM MARINE SHIPLEY, ETC. & REC. 10-10-89 (2.48 AC. ±)  
FOLIO 58-1081, AND ALSO INCLUDES 1.059 AC. THAT IS  
PART OF 16.192 AC. SHOWN ON SURVEY AND  
RECORDED DEED AS PARCEL 7A  
REC. PLAT BOOK S.M. NO. 57-150A  
ALSO SEE RECORDED  
DISCLAIMER FOR B.C.F.E. RECORDED  
ON 1-18-93 FOR MAXIMUM EASEMENT  
FOLIO 11-18-93 FOR MAXIMUM EASEMENT  
DISTANCES OF 250' TO 300' FEET BE BEKEKE  
OF THE BEEKE LINE UNDER THE EASEMENT  
1) AS OPERATED TODAY (C. 1984)  
2) AFTER RECONSTRUCTION OF 250' TO 300' FEET  
AS A 250' FEET BEEKE LINE



- ### RIDGEMONT ROAD NOTES
1. THE 40' R/W LINE OF WAY WILL BE DESIGNATED, UNIMPROVED, TO BALTIMORE COUNTY, AT NO COST, AT THE TIME OF RELOCATING THIS PLAT.
  2. DUE TO AN AGREEMENT WITH DAVIES, TO LOT 12C, MAY BE RELOCATED BY THE OFFICE OF "FUTURE LOT 12C" FROM THE EXISTING TERMINATION OF RIDGEMONT ROAD, THROUGH THE 40' R/W LINE OF WAY.
  3. SUFFICIENCY OF THE 40' R/W LINE OF WAY IS SUBJECT TO THE R/W OF THE FUTURE LOT 12C, ADJACENT TO BE CALCULATED TO THE S.W.H. (SHOWN HEREON) IN PARCEL 12C, SUBJECT TO THE DEDICATION OF A FUTURE AGREEMENT BY BALTIMORE COUNTY FOR THIS RELEASE.
- ### CHIPPENDALE ROAD NOTE
1. NO MORE THAN THREE LOTS (LOT NO. 12D) WILL BE ACCESSED FROM THE EXISTING CHIPPENDALE ROAD CUL-DE-SAC.







BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

August 23, 1993

TO: Mr. Arnold Jablon, Director  
Zoning Administration and  
Development Management

FROM: J. Lawrence Pilson JLP/MS  
Development Coordinator, DEPRM

SUBJECT: Zoning Item #49, Ridgemont West  
1406 Chippendale Road  
Zoning Advisory Committee Meeting of August 9, 1993

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.

1. Forest Buffer Access Easements must be provided for each Forest Buffer Easement.
2. This plan is approved for Lot 12D only. The Partial Development Plan for Plat Three, Section Two should reflect the correct acreage of Lot 12D.

JLP:sp

RIDGEM/DEPRM/TXTSBB

BALTIMORE COUNTY, MARYLAND  
Inter-Office Correspondence

TO: Zoning Advisory Committee DATE: August 6, 1993

FROM: Captain Jerry Pfeiffer

SUBJECT: August 16, 1993 Meeting

- #40 No Comments
- #41 No Comments
- #42 No Comments
- #43 No Comments
- #44 Fence shall be equipped with gates that are a minimum of 32" in width, in order to allow egress from fenced area.
- #45 Buildings shall comply with the 1991 Life Safety Code and shall be equipped with hard-wired smoke detectors.
- #47 Townhouses for which the initial building permits were applied after July 1, 1992 are required by State Law to be sprinklered. A fire hydrant is required at Blackfoot Ct. and Pawnee Rd. and Blackfoot Ct. and Road A.
- #48 No Comments
- #49 It is recommended that the driveway be a minimum of 12'.

JP/dmc

RECEIVED  
AUG 11 1993  
ZADM

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration &  
Development Management

FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning

DATE: October 22, 1993

SUBJECT: Daves Property/Ridgemont West

INFORMATION:

Item Number: 49

Petitioner: Henry T. and Eleanor F. Daves

Property Size: \_\_\_\_\_

Zoning: R.C. 5

Requested Action: \_\_\_\_\_

Hearing Date: 1 / 1

AMENDED COMMENTS:

On October 21, 1993, the Baltimore County Planning Board voted to recommend approval of the proposed amendment to the Partial Development Plan for Ridgemont West with the following conditions:

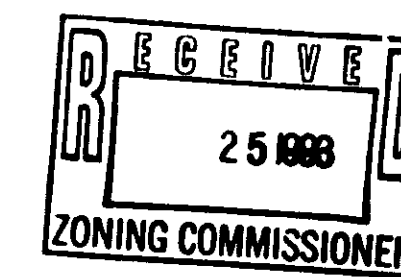
- 1) The 40' right-of-way for Ridgemont Road extended will be dedicated in fee to Baltimore County at no cost, to insure future access to the Becker property; and
- 2) No more than three lots (lots 13A, 14A and 12D) will be allowed access from the existing Chippendale Road cul-de-sac.

Prepared by: Capt. Keller

Division Chief: Capt. Keller

PK/JL:lw

LAC49.AMD/PZONE/ZAC1



ARTICLE IV ZONING

Sec. 26-127. Authority of zoning commissioner to provide for special

- 1.
- 2.
- 3.
4. hearings, special exceptions and variances
5. (e) Except as provided in section 2-35A(p) of this Code and
6. subject to the appropriate principles, standards, rules, conditions and
7. safeguards set forth in the zoning regulations, the zoning commissioner, upon
8. petition, may grant variances from area and height regulations, may interpret
9. the zoning regulations, and may make special exceptions to the zoning
10. regulations in harmony with their general purpose and intent, provided, that
11. the issuance of all such special exceptions and variances shall be subject to
12. appropriate principles, standards, rules, conditions and safeguards set forth
13. in the zoning regulations, and that all decisions of the zoning commissioner
14. with respect to such matters shall be subject to appeal to the board of appeals
15. as provided in this article. The zoning commissioner shall schedule a public
16. hearing on any petition for such a variance or special exception for a date not
17. less than (thirty (30)) TWENTY ONE DAYS (21) nor more than ninety (90) days
18. after the petition is accepted for filing. For a period of at least fifteen
19. days prior to the time of such hearing, notice of the time and place of the
20. hearing relating to the property under petition shall be continuously posted
21. thereon, and shall be given in at least two (2) newspapers ONE
22. (1) NEWSPAPER of general circulation in the county. Such notice shall
23. provide the address of the property under petition, but if not available, a
24. description, and the action requested thereon.
- 25.
- 26.
- 27.
- 28.

RE: ITEM NO.: 49

I, Thomas D. Daves, DO HEREBY WAIVE  
MY RIGHTS TO AN EXPEDITIOUS HEARING PURSUANT TO SECTION 26-127(A) OF  
THE BCZR AND DO HEREBY REQUEST THAT THE ABOVE ITEM NUMBER BE SCHEDULED  
FOR PUBLIC HEARING SUBSEQUENT TO OCTOBER 21, 1993.

John F. Fernando  
WITNESS

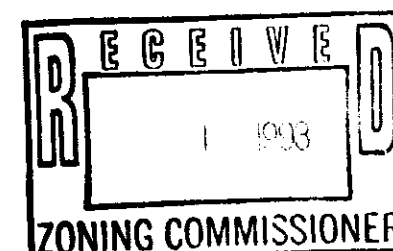
7/30/93  
DATE

BALTIMORE OFFICE  
MARCANTER BANK & TRUST BUILDING  
3 HOPKINS PLAZA  
9TH FLOOR  
BALTIMORE, MARYLAND 21201  
410-536-3700  
TELEFAX 410-425-9050

HOWARD L. ALDERMAN, JR.

LAW OFFICES  
LEVIN & GANN  
A PROFESSIONAL ASSOCIATION  
305 W. CHESAPEAKE AVENUE  
TOWSON, MARYLAND 21204  
410-561-0600  
TELEFAX 410-296-2801

July 25, 1993



Mr. Thomas D. Daves  
11811 Ridgemont Road  
Lutherville, Maryland 21093

RE: Ridgemont West - Proposed Lot Line Adjustment  
Lot 12D (2.035 to 2.046 ± Acres)

Dear Mr. Daves:

You have asked my advice regarding the inter-relationship, if any, between the proposed Lot Line Adjustment for Lot 12D, Ridgemont West (for DRC action July 26, 1993) and the prior DRC refinement approval of April 14, 1993 which, inter alia, resulted in the current configuration of Lot 12D, as well as the DRC's ability to review and approve the current request. You have advised that the current DRC request seeks only a lot line adjustment in order to increase the acreage of Lot 12D to approximately 2.046 acres.

CRG Plan refinements (under the previous CRG process which remains applicable to Ridgemont West) have long been recognized and practiced in Baltimore County. The direct testimony of Mr. Robert Covahey, at the County Board of Appeals in January, 1993, established clearly the basis for the refinement procedure, what the County agencies consider a plan refinement, and how such refinement requests are processed. I would note that legal counsel, both for Baltimore County, as well as your neighbor, Mr. Becker, participated in eliciting this testimony from Mr. Covahey.

Based upon previous experience with Baltimore County development issues, I see no reason why the proposed lot line adjustment to increase the size of Lot 12D as proposed would not qualify as a plan refinement. The remaining issue is what effect the appeal of the DRC action which approved Lot 12D in its present configuration has on consideration of the presently proposed lot line adjustment.

The applicable portions of the County Code draw a distinction among the terms permit, plat and plan. County Code §26-209(d) provides that "[w]hile an appeal [of a CRG plan] is pending, no permit may be issued and no plat recorded in connection with a plan which is the subject of such appeal." (Emphasis added.) I can find no authority in the County Code which prohibits the DRC consideration and approval of the presently proposed lot line adjustment. However, if the "plan" approved by the DRC, which is presently on

STUART D. KAPLOW, P.A.  
ATTORNEYS AT LAW  
5125 ROLAND AVENUE  
BALTIMORE, MARYLAND 21210  
TELEPHONE (410) 435-5632  
FACSIMILE (410) 435-6134

December 6, 1993

STUART D. KAPLOW

Timothy M. Kotroco,  
Deputy Zoning Commissioner  
400 Washington Avenue  
Towson, Maryland 21204

Re: Daves Property  
Amendment to Final Development Plan

Dear Mr. Kotroco:

I am writing to you on behalf of the Arthur Becker family whose property abuts the Daves property that is subject to the proposed amendment to the current partial development plan.

As I proffered at the public hearing, my clients sole concern is the preservation of the road access to their property by Ridgemont Road, as agreed to by the parties incident to the approval of the 1988 CRG Plan for the development of the Daves property. They do not oppose development of the Daves property, they merely seek to preserve access to their property that would otherwise be practically landlocked.

My clients believe that they have been wronged by Thomas Daves who has waged a five year effort to deny them road access.

Baltimore County, namely the Department of Public Works and the Office of Planning and Zoning, have gone to great lengths over a several year period to preserve the access and as a result of a meeting in David Field's office with Daves, Becker, community representatives, and six County staffers in attendance, a settlement of all outstanding issues was agreed to and I was to prepare an agreement with respect to the Becker issues memorializing the understanding.

Daves has refused to sign the development agreement and has continued to refuse to provide access to the Becker property.

If you determine to approve the amendment to the FDP, I would urge you to incorporate both (1) the October 22, 1993 amended comments of OPZ that suggest two conditions on approval, and (2) the relevant provisions of the settlement agreement, as marked, (as provided to Daves) as they modify the OPZ comments.

We believe that we have dealt fairly with Daves (and it is with that in mind that we do not ask you to impose any more

October 27, 1993

11811 Ridgemont Road  
Lutherville, MD 21093

Howard L. Alderman, Jr., Esquire  
Levin & Gann  
305 West Chesapeake Avenue  
Towson, MD 21204

RE: Clear title to the land contiguous to Becker and the original Daves Farm: Is it possible to gain clear title by Court Order?

Dear Howard:

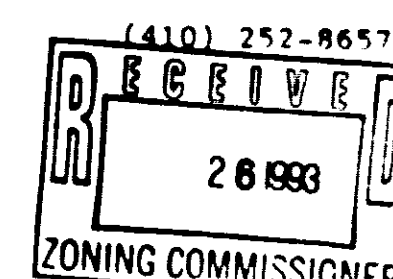
Daves claims a 60-year history of possession of subject land, has been paying taxes on it since 1987 and yet lacks clear title to same, as evidenced by the experience of Randy Brenton to the east of us. (Please refer to 10/26/93 letter to Dave Thomas).

If you went to Circuit Court with the surveyor's description of the land in question, do you think that you would have a good shot at obtaining a court order giving Daves, et al, clear title, clearing the way for a clear-title transfer of the 40' r.o.w. to Baltimore County for the purpose of making future public road access available to the Becker Property?

Sincerely,

Thomas D. Daves

cc: Timothy Kotroco, Deputy Zoning Commissioner  
David Ransone, Surveyor  
Henry T. Daves





**To Whom It May Concern:**

The undersigned, all owners of developed lots in Ridgemont West, located in the 8th Election District, Baltimore County, Maryland make the following statements and agreements.

We understand that the Developer of Ridgemont West, T. Daves, wishes to amend the Plan approved on 12-11-90 as follows:

1. To establish a 230 foot setback from the power line.
2. To add to lot 12D 0.812 Acres +/- from abandoned Lot 13D's homesite so as to expand the 12D building envelope northward.

We, the undersigned are in agreement with items 1 and 2 above. We were represented at a meeting chaired by Planning Director Fields on 9/30/93 in the Baltimore County Office of Planning and Zoning and we are in agreement with the Planning Director's decision that there will never be more than three lots developed off the Chippendale Road cul de sac. If the plat proposed by Developer T. Daves (see "Sketch of Plat Being Prepared...", dated 10/6/93) guarantees the finality of that decision, we approve of its recordation in the Land Records of Baltimore County.

Owners: Patricia Quinn Gerard Quinn  
Lot 5D Date: 12-12-93 Patricia Quinn

Owners: Malcolm Steigerwald Malcolm Steigerwald  
Lot 8A Date: 12-12-93 Antoinette Steigerwald

Owners: David Askin David Askin  
Lot 9A Date: 12-12-93 Lisa Askin

Owners: Harvey Blanton Harvey Blanton  
Lot 10A Date: 12-12-93 Elizabeth Blanton

Owners: Donald Pettit Donald Pettit  
Lot 11D Date: 12-12-93 Joan Pettit

Owners: Larry Sheets Larry Sheets  
Lot 11A Date: 12-12-93 Sharon Sheets

Owners: Pete Sarandos Pete Sarandos  
Lot 12A Date: 12-12-93 Carol Sarandos

PLEASE PRINT CLEARLY

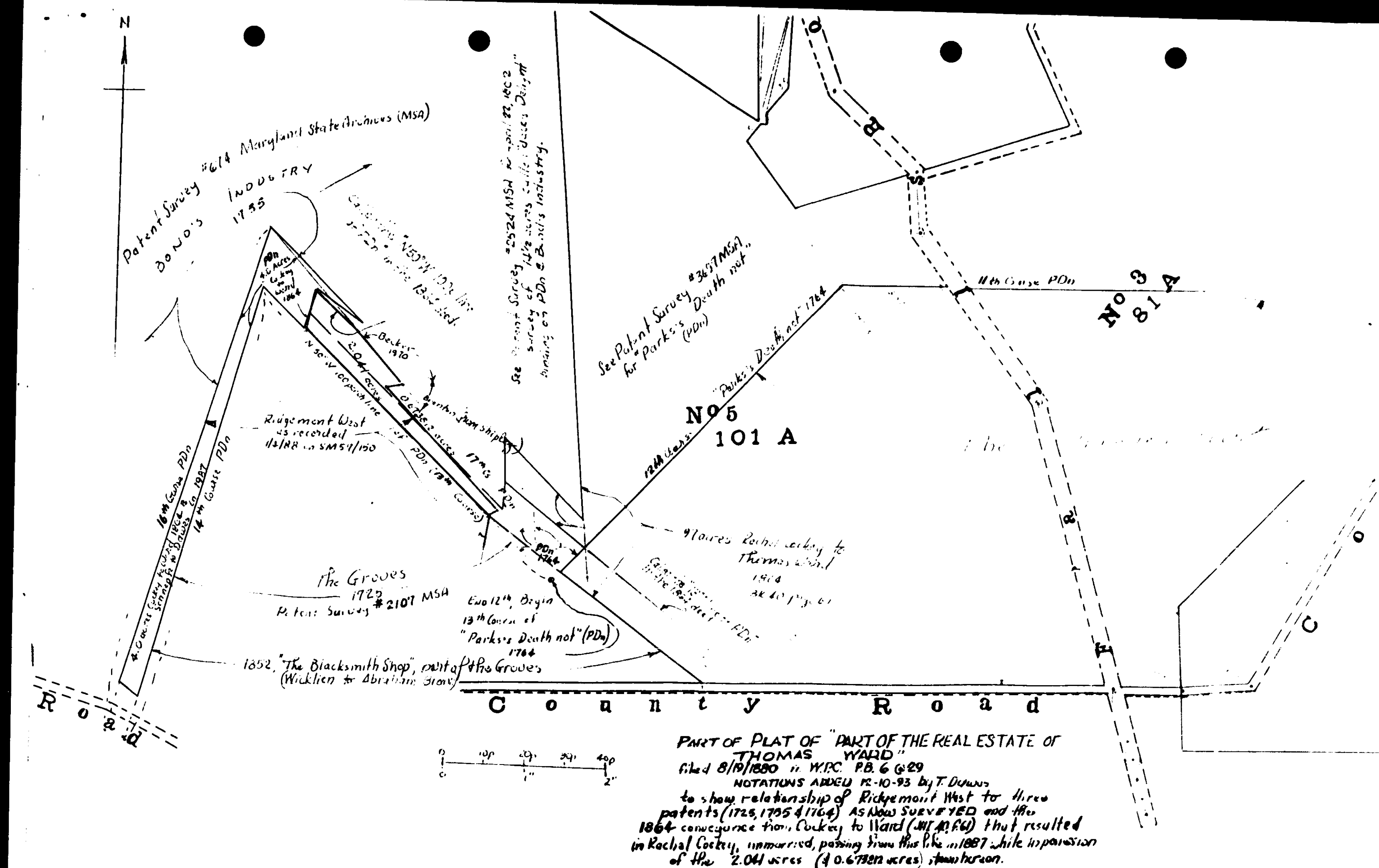
PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
<u>SECRET D KAPLOW</u>	<u>5125 ROLAND AVE #1210</u>

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
<u>HARVEY B. BLANTON JR</u>	<u>1409 CHIPPENDALE RD</u>
<u>ELISA M. ASKIN</u>	<u>1401 CHIPPENDALE RD</u>
<u>THE STEIGERWALD</u>	<u>1405 CHIPPENDALE RD</u>
<u>JOAN PETTIT</u>	<u>1407 CHIPPENDALE RD</u>





October 26, 1993 11811 Ridgemont Road (410) 252-8657  
Lutherville, MD 21093

Mr. Dave Thomas, P.E., DPW

RE: SETTLING THE BECKER ACCESS ISSUE, part of the agreement devised by Planning Director Fields at a meeting held in the OPZ on 9/30/93, in the presence of:

Arthur H. Becker, Sr.  
Arthur H. Becker, Jr.  
Stuart D. Kaplow, Esquire  
Gary Kerns & Bill Hugner, OPZ  
Don Pettit, 1404 Chippendale Road  
Mrs. Toni Steigervald, 1405 Chippendale Road  
Dave Ransone, Surveyor  
Tom Daves

Dear Mr. Thomas:

Following up on our conversation of late Friday, 10/22/93, the "Sketch of Plat" is enclosed to show the 40' r.o.w. extended 30.49' (along the center line) onto the Becker Property, making the area of the r.o.w. parcel, 40' wide, 0.500 acres.

In connection with your observation that gaps (in title) between old country places are not uncommon, the following procedure is suggested as a cure (after the FDP and the record plat are revised to include the extension of the 40' r.o.w.):

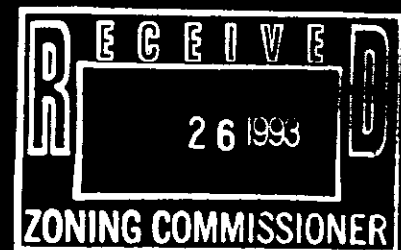
1. Becker and Daves sign the record plat
2. The County approves the FDP (revised to show the extended r.o.w.) that is before the Deputy Zoning Commissioner, Timothy Kotroco.
3. The County approves and records the record plat dated 10/11/93, etc..
4. In lieu of charging Mr. Becker \$300 for title search & deed, the County accepts the title search that Mr. Kaplow said on 10/25 that he has ordered.
5. The County accepts title to the 40' r.o.w. (0.500 acres) "as shown on Plat so & so recorded thus and so"

Shaded in blue on the enclosed print is the land that lay between the 93 acres that Mr. Becker bought in 1970 and what was the Daves Property at that time. This is the "vacant strip" my family spoke of when I was a child. Early in the 1930's, our Mr. William Hinton, who lived in a little house very near to the BG&E tower, fenced the property on our behalf. In 1956, the surveyors located portions of the old fence (bits can still be found embedded in trees).

Upon discovering in 1976 that a Kirkwood daughter was about to lose title to a portion of the blue area through a tax sale (to Mr. Charles Schnepfe), I became concerned that his acquisition may displace our earlier "possession" of the land between Becker and Daves. Mr. Becker has no recollection of it now, but I did call him in 1976 to suggest that we collaborate, to our mutual benefit, in seeking title to the vacancy.

In the early 80's, a similar inquiry to Mr. Bud Shipley (whose property lay south of the BG&E Power Line) resulted in our quitclaiming to each other 1/3 of the 1 1/3 acres that lay south of the Power Line between our two properties.

Mr. Randy Brenton has since purchased the Shipley home and informed me that his lender would not allow the 2/3 acre, acquired by quitclaim from Daves, to be included under the mortgage.



October 29, 1993 11811 Ridgemont Road (410) 252-8657  
Lutherville, MD 21093

Mr. Les Schreiber, DPW/DRC  
c/o DPW, Third Floor  
County Office Building

RE: Ridgemont West, Plat for Record, Conforms to 9/30/93 Agreement arrived at on that date by all three parties at interest: Becker, et al. Chippendale Road residents, and Daves. (For confirmation, see Gary Kerns, OPZ)

Dear Mr. Schreiber,

Please distribute the five enclosed prints so that the DRC can approve the complete package:  
- red-lined CRG,  
- FDP  
- Plat for Record

Please see copy of letter to Dave Thomas, attached, requesting that DPW request BLA to prepare the deed to the 40' r.o.w. to the Becker Property.

Sincerely,

Thomas D. Daves

cc: Timothy Kotroco, Deputy Zoning Commissioner

Howard L. Alderman, Jr., Esquire  
Arthur H. Becker, Sr.  
Arthur H. Becker, Jr.  
Henry T. Daves  
Dave Ransone, Surveyor



October 29, 1993 11811 Ridgemont Road (410) 252-8657  
Lutherville, MD 21093

Mr. Dave Thomas, P.E., DPW  
County Office Building

RE: Request for preparation of deed to the 40' r.o.w. to the Becker Property.

Dear Mr. Thomas:

Enclosed is one copy of each of the following deeds:

Confirmatory Deed, dated 7/13/87, for  
24.883 acres, Liber 7643 @ 151.

Deed dated 8/16/91, 1/3 interest in the 24.883 acres,  
or residual thereof to Thomas D. Daves, Trustee  
under Revocable Living Trust Agreement dated 8/16/91

The Ridgemont West signatures for the 40' r.o.w. are the same as those that are on the enclosed copy of the 7/29/93, Becker/Daves Agreement that I delivered to Mr. Arthur H. Becker, Sr. at his home, on the date of the document.

Mr. Becker rejected the grant of immediate access "to make possible the processing for residential subdivision the 35 acres south of Beaver Dam Run".

All references to private road have been made null and void by the 9/30/93 Agreement arrived at in the Planning Director's office by all three parties at interest: the residents, Becker et al. and Daves.

The promise to deliver permanent access for all Becker lots is still relevant and needs to be executed soon as possible.

Having Power of Attorney for Henry T. and Eleanor P. Daves, his wife, I'd appreciate your requesting the Bureau of Land Acquisition to prepare a deed for the 40' r.o.w., as shown on the attached plat. I'll come in and sign the document as soon as it is prepared. Could it possibly be done on or before the 10th of November? I'm going to visit my grandchildren and my brother beginning the 11th, and I would really like to leave a signed deed here. (For confirmation of P/A, see L 9702, page 647.)

Five prints of the FDP and the record plat have been submitted to Les Schreiber in anticipation of early DRC approval for the complete set: red-lined CRG, FDP, and Plat.

Mr. Dave Ransone, Surveyor, has been requested to prepare a description of the land, contiguous to the Becker Property, across which the 40' r.o.w. lies.

Although possessed, to my knowledge, by a fence first erected by Mr. William Hinton, resident and farm worker, before 1933, about 1.3 acres has no paper ancestry prior to the 1987 Confirmatory Deed. Another portion of the 40' r.o.w. lies within a 1/3 acre parcel acquired by quitclaim deed from Maurice L. Shipley. That deed is dated 6/21/82 and recorded in Liber EHK Jr No 6405, f. 589.

In order to provide the County with "quiet title", I am requesting Mr. Howard L. Alderman, Jr., Esquire, to consider going into Circuit Court with the surveyor's description of subject land to seek a court order granting title to Henry T. Daves, et al.

The County will likely hold the deed until the plat is recorded. Whether or not the County holds the deed until the court-ordered quieting of title takes place is the County's

December 10, 1993 11811 Ridgemont Road (410) 252-8657  
Lutherville, MD 21093

Timothy M. Kotroco, Esquire  
Deputy Zoning Commissioner  
400 Washington Avenue  
Towson, MD 21204

RE: A proposed sequence for completing the Agreement struck by Planning Director Fields on 9/30/93.

Dear Mr. Kotroco:

Mrs. Shirley Murphy has confirmed to me what Howard L. Alderman, Jr., Esquire, had advised me: The deed to the r.o.w. to the Becker Property will not be accepted unless the r.o.w. comes to the County with a clear chain of title.

Dave Ransone, Surveyor, and I believe we have found the point at which the chain of title for the 2.041 acres stopped advancing. Enclosed is a copy of the plat showing the 40' r.o.w. as it will be recorded following approval of the FDP. The r.o.w. crosses the 2.041 acres in question.

The title trail begins with three tracts the patents for which were issued in 1725, 1753 and 1764. (The Groves, Bond's Industry and Parks's Death not) The break occurs in 1864, with a deed conveying 101 acres from Rachel Cockey to Thomas Ward (recorded in Baltimore County L.R. book 40 at page 61). That deed fails to include all of the land that lies within the 1764 patent between the two earlier grants. As a result of the failure of the 1864 deed to convey all of the land between the earlier patents to Thomas Ward, Rachel Cockey, unmarried, died in 1887 while still in possession of the 2.041 acres. Her will distributes money to female relatives but land is not mentioned.

Pat O'Keefe, DPW, agreed with me today that the Bureau of Land Acquisition (BLA) will not accept my explanation until it has made its own search. Pat said that on Monday, he will ask Shirley Murphy to at least put the necessary search on the schedule of the BLA.

On the 8th of December, certified copies of the patents and patent surveys were ordered (rush) from the Maryland State Archives in the Hall of Records, Annapolis. As soon as those documents are in hand, all of the data that we have compiled will be made available to the BLA to expedite the search by that office.

The following Note 19 has been added to the plat: "Coincident with offering this Plat for recordation in the L.R. of Baito County, Daves is seeking quiet title to all that 2.041 acres of land shown as "out of Parks's Death not" first described...etc"

Pursuing the following two sets of procedures concurrently is in the interest of all parties:

- |                                |   |
|--------------------------------|---|
| Plan/Plat Approval:            | R.O.W. Conveyance:  |
| 1. FDP approved.               | 1. DPW requests BLA to schedule title search.   |
| 2. Plat approved for record.   | 2. BLA prepares deed.   |
| 3. Original signed & recorded. | 3. Daves signs deed and BLA holds same in safe until.                                     |
|                                | 4. BLA completes the title search.  |
|                                | 5. Mr. Alderman proceeds to sue appropriate party to gain quiet title to the 2.041 acres. |

October 31, 1993 11811 Ridgemont Road (410) 252-8657  
Lutherville, MD 21093

Mr. Timothy Kotroco, Deputy Zoning Commissioner  
Room 113, Old Courthouse  
400 Washington Avenue  
Towson, MD 21204

RE: APPROVAL OF Ridgemont West FINAL DEVELOPMENT PLAN, as a step toward delivering access to the Becker Property that Mr. Becker's many friends and advocates inappropriately demanded of Daves in 1990.

Documentation of official County bias in Mr. Becker's favor:  
4/14/88 letter from Arthur H. Becker, Sr. to Mr. Robert Covahay, Chief, RPS/DPW. Mr. Becker demands that the County require the developer to build both Chippendale Road and the Ridgemont Road extension to his property at the same time.  
10/16/88 DPW DENIED A PERMITS PLAT for dedication of Ridgemont Road, 11/2/88, letter from Planning Director Fields to Mr. Becker. Implies that administrative coercion will be used by Mr. Becker's behalf, such as requiring the developer to record the entire Ridgemont West subdivision in one plat, Section 1 (5 lots) out of CRG Plan #7124, approved for 13 lots on 8/17/87, had already been recorded on 1/4/88.

7/4/89, Daves to Covahay, rebuts the unusual demands of Daves not backed by Code requirements, including the demand that the Chippendale Road plat be expanded to include the out-of-phase recording of Ridgemont Road. The Chippendale Road plat was finally recorded 10/10/89, as required of the developer by law. In order for the developer to complete the dedication process, let in October, 1989.

10/25/89, DPW personnel break the law by forwarding to the County Board of Appeals Mr. Becker's 10/20/89 objection to the County's approval of a plat, that Mr. Becker had learned from me on 10/16/89, was not only approved but approved on 10/10/89, thus completing all requirements for the dedication of Ridgemont Road. DPW personnel ignored Code Section 22.67(e) - the appeal shall be allowed from plat approval and filed Mr. Becker's objection anyway.

7/22/91, Fields to Daves: "I count myself as one of Mr. Becker's many friends and advocates".

7/26/91, Mr. Fields requests DRC to table Daves application to record Lot 12D as a 2.046 acre lot.

Documentation of shift in the Becker position and the positive response by Daves:

4/26/93, Becker to ZADM. In order to gain access in advance of the completion Ridgemont West, Mr. Becker suggests that a covenant be recorded in the land records granting the owners of the Becker Property to build the extension of Ridgemont Road to the Becker Property at some time in the future. On 5/6/93, Mr. Kaplow filed an appeal of DRC approval of approving Lot 12D as a 2.018 acre lot, attacking the validity of the process. The Office of Law has never responded to inquiries as to whether or not it would defend the DRC process in this case. (CBA Case No. 93-111)

7/13/93, Daves to Fields: Daves proposes the recording of the 9/28/92 Plat that shows TWO access routes to the Becker Property.

7/14/93, Daves to Fields, requests that Daves be allowed to record Lot 12D as a 2.046 acre lot, while the mediation proceedings are in progress.

\* Brushed aside by Fields. \*\* Blocked by Fields from even being considered.



December 13, 1993 11811 Ridgemont Road (410) 252-8657  
Lutherville, MD 21093

Mrs. Shirley Murphy, Chief  
Bureau of Land Acquisition  
County Office Bldg. 3rd Floor,  
Towson, MD 21204

HAND DELIVERED

RE: Providing the County clear title to the entire length of the 40' r.o.w. that extends to the Becker Property in accord with the Agreement among the Chippendale Road residents, Becker & Daves arranged by Planning Director Fields on 9/30/93.

Dear Mrs. Murphy:

As stated to Timothy Kotroco in the 12/10/93 letter, copy attached, Dave Ransons and I are of the opinion that we have found the break in the chain of title for the 2.041 acres for which Mr. Alderman will file suit to quiet the title.

There is no point to launching that lawsuit until you are agreed that we are targeting the appropriate party for the suit.

Pending arrival of certified copies of the patents and patent surveys from the Maryland State Archives, the enclosed copy of part of the 1880 plat of "Part of the Real Estate of Thomas Ward", recorded in P.B. VFC 6, p. 79, is submitted herewith to show the relationship of the 2.041 acres with the earlier land patents and present holdings, as now surveyed.

We believe that this exhibit will assist in your search as to where the chain of title for the 2.041 acres stopped advancing and who or what must be sued to quiet the title.

BPW has accepted the alignment for the future extension of Ridgemont Road as shown on the plat (to be offered for recordation as soon as the FDP is approved by Mr. Kotroco). I hope that you will prepare a deed for the 0.472 acres so I can sign it and you can hold same in your safe until your title search and Howard's lawsuit have been completed.

A "Declaration of Disclosures, Covenants and Restrictions" has been submitted to Mr. Alderman for his review. Two of the purposes for recording the proposed instrument are to bind the owners of Ridgemont West to 1) recording the plat as agreed 9/30/93 and 2) follow through with the lawsuit necessary to deliver to the County quiet title for the entire 0.472-acre, 40' r.o.w. that will someday make possible the extension of Ridgemont Road north to the Becker Property.

The title search by the BIA and the suit for quiet title are likely to consume six calendar months so I wish to provide Becker with assurance that his interest is protected by the 1) signed deed and 2) recorded covenant. In reciprocity for these assurances, I would expect Mr. Becker to give back to Daves the right of quiet enjoyment for the 18 acres of land to which Daves does hold clear title. (Cdw Marlow to Kotroco letter of 12/6 enclosed.)

A copy of Dave Ransons's description of the 2.041 acres is enclosed for your use.

Thank you for your attention to this matter.

Sincerely,

Thomas D. Daves

cc: Henry T. M.L. Alderman, Stuart Marlow, Arthur Becker Sr. & Jr., Dave Ransons.

December 17, 1993 11811 Ridgemont Road (410) 252-8657  
Lutherville, MD 21093

Mr. Timothy M. Kotroco  
Deputy Zoning Commissioner  
Baltimore County  
Suite 113 Court House  
400 Washington Avenue  
Towson, MD 21204



RE: Case No. 94-105-SPH, 1406 Chippendale Road, Ridgemont West  
Dear Mr. Kotroco:

Confirming today's telephone message, the four lots in the 17.111 acres are 14A, 12D, 4C and 3C.

It is fortunate for me that 3C is already improved or I would be among the homeless.

That is said in jest to illustrate that there is no way the 40' r.o.w. can be delivered to Baltimore County by mid-March, 1994. The plat is likely to be recorded by then but, so far, I have not yet prevailed on Shirley Murphy to prepare the deed for me to sign.

Enclosed is a professional and realistic assessment of the factors involved in the "Quiet Title Action - Ridgemont West (OTA)" that affect cost and calendar time of the outcome. Provided to me by Howard L. Alderman, Jr., Esquire, under date of 12/13/93, the essence of that assessment is that not enough is known at this time to even estimate the dollars and time that the OTA will consume.

The following facts can be proved by documents from the Maryland State Archives and the Land Records of Baltimore County: The northernmost 140' of the 40' r.o.w. lies within 1) land first titled to William Parks by patent dated March 5, 1764, (shown on the plat as 2.041 ac. out of Parks's Death not) In 1864, Rachel Cockey conveyed land west of , and land east of, the 2.041 acres, to Thomas Ward.

We continue the search for the instrument whereby Rachel came to possess the 2.041 acres in order to determine if the break in the chain of title occurred in 1864, with the conveyance to Ward, or earlier.

Asking for time seems pointless. An appeal would be a waste of resources. One side argues that the matter must be settled by 12/22/93. Mr. Alderman's assessment indicates that the time and money required to settle the title cannot, at this time be estimated.

One fact of significance: If Daves' possession of the 2.041 acres over a period exceeding 60 years does not confer clear title to Daves, then the hanging of wires over the 2.041 acres by the BG&E (and its predecessor) since 1925 has not conveyed to BG&E the clear right to do that.

This fact brings to three the number of parties who have an interest in having Baltimore County accept from Daves the deed to the 0.472 acre, 40'-wide r.o.w. to the Becker Property and to face down either the ghosts or the live heirs of William Parks or Rachel Cockey or some unknown in between.

A fourth party is compelled by code to have an interest in the County accepting title to the 0.472-acre r.o.w. That party is

## Harvard Health Letter

VOLUME 18 • NUMBER 9 • JULY 1995

### ENVIRONMENTAL HEALTH Power Struggle

Your local power company is worried about your health — not necessarily because the high voltage that usually flows through their corporate veins has been replaced with the milk of human kindness, but because the industry is being besieged by claims that electromagnetic fields (EMFs) emanating from power lines, substations, and the like pose a threat to the public.

Suddenly consumers are demanding that these invisible fields be measured in homes, workplaces, and schools. Grassroots activists are forcing companies to reroute and redesign new power lines and to alter old ones. Six states now limit EMFs from high-voltage transmission lines. And utilities are being sued by people who claim to have been injured by EMFs, by parents who fear that harm will come to their children, and by those who say their property has been devalued by proximity to power lines.

Power companies aren't the only ones under fire. Angry consumers are filing claims against real estate developers who didn't tell them that a high-voltage line was about to be built nearby, and against appliance manufacturers whose specification sheets didn't mention EMFs. Workers exposed to strong fields on the job are suing their employers.

A polarizing issue  
Frequently asked about the public health impact of 60-hertz EMFs, which are produced by all electric power lines (whether mounted on tall steel towers or on wooden poles along residential streets), by wiring in buildings, and by all appliances that are plugged in.

On one end of the opinion spectrum are some scientists — such as Harvard epidemiologist David Friedman — who link cancers at all the upsur. As his contribution to a large government report published in mid-1992, Dr.

Trichopoulos scrutinized all the epidemiological studies of EMFs' health effects and concluded that although numerous studies show weak connections between EMFs and cancer, the evidence isn't strong enough to prove causality. He and other scientists in this camp believe that much more research is needed before laws are passed or regulations are imposed.

On the other side are those who say that what experts think about the certainty of scientific proof has become largely irrelevant. "The point is that the era of research is giving way to the era of litigation," author Paul Brodeur told a roomful of utilities executives at a Washington conference held in March 1993. He characterized lawsuits as "a notoriously poor way to settle public health issues." Brodeur's articles in *The New Yorker* and his book *Currents of Death: Power Lines, Computer Terminals, and the Attempt to Cover Up Their Threat to Your Health* have arguably stimulated more public concern — and spawned more lawsuits — than anything else ever written on the subject.

For the past several years, Mr. Brodeur and other activists have been urging utility companies to survey high-current portions of their systems, identify EMF hot spots, and take immediate steps to reduce exposures.

A word to the wise  
M. Granger Morgan has taken a middle position in this sometimes acrimonious debate. Since 1982 Dr. Morgan heads the Department of Engineering and Public Policy at Carnegie Mellon University in Pittsburgh, and his colleagues in

Author's Bio

Strength Training

Polymers

Special Supplements: High Cost of Drugs

### DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT is entered into on October 1993 by and between Arthur H. Becker, Sr. and Dorothy Elizabeth Becker, his wife (hereinafter "Becker") and Henry T. Daves and Eleanor French Daves, his wife and Thomas D. Daves and The Thomas D. Daves Revocable Living Trust (hereinafter "Daves").

WHEREAS Becker and Daves are owners of certain adjoining and abutting parcels of real property located in Baltimore County, Maryland;

WHEREAS the property described in a deed recorded among the Land Records of Baltimore County at Liber 5069, folio 151 is sometimes known as the "Becker Property";

WHEREAS the property described in the several deeds recorded among the Land Records of Baltimore County at Liber 6405, folio 586; Liber 6414, folio 598; Liber 6414, folio 595, and Liber 7486, folio 253, is sometimes known as the "Daves Property";

WHEREAS certain disputes and differences exist between Becker and Daves arising out of the development of the Daves Property; and

WHEREAS Becker and Daves are desirous of settling the disputes and differences that exist such to provide for the advantageous development of both the Daves Property and the Becker Property.

THEREFORE, in consideration of the mutual promises contained herein and other good and valuable consideration, Becker and Daves enter into this Development Agreement and agree:

1. That the 40 feet wide right of way for the extension of Ridgemont Road from the current terminus to the boundary with the Becker Property, as described on the Ridgemont West Record Plat dated October 11, 1993 (including the revised Notes dated October 20, 1993), shall be dedicated to Baltimore County, Maryland at the time of Record Plat recordation.

2. That Becker will pay unto Baltimore County, Maryland the sum of Three Hundred Dollars (\$300.00) as contribution to the costs of the County accepting dedication of the said 40 feet wide right of way.

3. Whether or not the said Ridgemont West Record Plat has been offered for recordation, if the said 40 feet wide right of way has not been dedicated to the County prior to December 21, 1993, Daves shall on December 21, 1993, in any event, dedicate the said 40 feet wide right of way to the County by delivery of a deed with special warranties to the Baltimore County Office of Law.

WE NEED AN ONSITE DATE ... THIS IS A KEY ISSUE TO US, BUT YOU MAY WANT TO GIVE 30 OR 45 DAYS.

### BECKER/DAVES AGREEMENT GUARANTEEING

ACCESS to the Becker Property.

PROGRESS for Ridgemont West.

July 29, 1993

I. Private Ingress and Egress to the Becker Property is Granted Herewith to Arthur H. Becker, Sr., his heirs and assigns, to make possible the processing for residential subdivision the 35 acres south of Beaver Dam Run.

Private Access (40' wide) to the Becker Property (use existing access maintained by BG&E south of the Power Line and woods trails north of the Power Line) is hereby Granted Arthur H. Becker, Sr., his heirs, assigns and descendants, to insure that the first phase of the Development of the Becker Property (35 acres south of Beaver Dam Run) will include at least a "material amendment" to County of serving five lots by the Private Road extending north from the Chippendale Road cul de sac.

II. The FIVE LOTS TO BE SERVED BY THE PRIVATE ROAD EXTENDED NORTH from the Chippendale Road cul de sac are described as follows:

LOT 14D, a Becker Lot (made up of Parcel 14D, Well 14D, the regular site Becker Land and a 10' wide Panhandle to the cul de sac).

LOT 15A, a Daves Lot (made up of Parcel 15A, Well 15A, 2 acres of Becker Land and a 10' wide panhandle to the cul de sac).

LOT 16A, a Becker Lot. If at least one new well is found on the Becker Property, (made up of Parcel 16A and a 10' wide Panhandle to the cul de sac). In the event that no new wells are found on the Becker Property, LOT 4C, a 50% Becker & 50% Daves Lot (made up of Parcel 4C, Parcel 16A, and a 10' wide Panhandle to the cul de sac).

LOT 14A, a Daves Lot (made up of the homestead approved for Lot 15A on CNG Plan 88035, Well 14A, installed on Lot 14A as shown on CNG Plan 88035, amended 4/14/93, following DSC 3153A, Plan Refinement, and a 10' wide Panhandle to the cul de sac).

LOT 12D, a Daves Lot, as recorded herewith.

III. PERMANENT ACCESS FOR ALL BECKER LOTS NOT SERVED BY THE AFOREMENTIONED PRIVATE ROAD IS GUARANTEED BY THIS AGREEMENT.

Upon completion of the approval of the subdivision plan, or plans, for the entire 35 acres of Becker Land along with the FIVE LOTS served by the Private Road and the Daves Land at the end of Ridgemont Road, and WHILST OF MARKETABLE TIME have been provided for each lot to be marketed, the 40'-wide Access to the Becker Property herein granted SHALL BE CONVERTED to a PERMANENT ingress and egress for whatever number of Becker Lots the Becker Land has yielded that are not served by the aforementioned Private Road as described above.

The decision to make the permanent ingress and egress PUBLIC or PRIVATE shall depend on:

1) approval authority, and  
2) costs and aesthetics of PUBLIC vs PRIVATE road access at the time appropriate for that decision to be made.

IV. In consideration of the value received by this Agreement between Arthur H. Becker, Sr. his heirs and assigns and